

**DEPARTMENT: Public Safety**  
**DIVISION: Legal Representation/Conflict Defender (2402)**

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**DIVISION DESCRIPTION**

The Legal Representation Division was conceptually developed through collaboration with the Monroe County Bar Association reflecting an enhanced effort by the county to coordinate and fund the work of private attorneys who are appointed by the courts to represent indigent clients. While the Public Defender's Office usually provides legal services to indigent persons, occasions often arise in which two or more such individuals are accused of involvement in the same crime. Providing representation to more than one co-defendant can result in a conflict of interest for the Public Defender's Office. To avoid that possibility, the courts are mandated by New York State to assign counsel.

To better serve the client community and to reduce the costs associated with rates paid to private counsel, effective January 1, 2004 the county and the Monroe County Bar Association amended the Joint Plan for Conflict Assignments to create a Conflict Defender Office. This office employs attorneys to represent clients in conflict cases in Family Court, misdemeanor cases in Rochester City Court and all Appellate Courts. Other expenditures involve payment of attorney fees, preparation costs for legal transcripts and expenses associated with providing expert testimony (psychiatric evaluations, etc.). Beginning January 1994, expenditures from Legal Representation involve payment to foreign language and hearing impaired interpreters for services rendered in the local criminal courts. Under Judiciary Law, the county is responsible for payment of these expenses.

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**BUDGET SUMMARY**

	<b>Amended Budget 2011</b>	<b>Budget 2012</b>
<b><u>Appropriations</u></b>		
Personnel Services	772,117	776,934
Contractual Services	3,087,758	3,351,729
Supplies and Materials	14,500	14,500
Employee Benefits	295,180	314,925
Interdepartmental Charges	176,792	184,923
<b>Total</b>	<b>4,346,347</b>	<b>4,643,011</b>
<b><u>Revenue</u></b>		
Fees and Payments	2,128,173	1,806,000
<b>Total</b>	<b>2,128,173</b>	<b>1,806,000</b>
<b><u>Net County Support</u></b>	<b>2,218,174</b>	<b>2,837,011</b>

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**Performance Measures**

	<b>Actual 2010</b>	<b>Est. 2011</b>	<b>Est. 2012</b>
Cases Assigned			
A, B, & C Felony	590	535	600
D & E Felony	607	604	650
Misdemeanor	2,702	2,830	2,900
Family Court	2,923	3,080	3,000
Appellate Cases	44	46	55
Probation/Parole	221	196	225
Homicide	21	20	25

**APPROPRIATIONS**

**DEPARTMENT: 24 PUBLIC SAFETY**  
**DIVISION: 2402 PUBLIC SAFETY – LEGAL REPRESENTATION**

<b>COMMIT ITEM DESCRIPTION</b>	<b>2010 ACTUAL</b>	<b>2011 AMENDED</b>	<b>2012 REQUEST</b>	<b>2012 BUDGET</b>
501000 Salaries	784,180	769,092	754,734	754,734
501001 Accrued Salaries	614	0	0	0
501005 Temporary Help	0	0	20,000	20,000
501010 Overtime	1,164	750	250	250
501040 Longevity	778	775	950	950
501055 Mandated Training	910	1,500	1,000	1,000
501065 Occupational Exams	200	0	0	0
<b>TOTAL PERSONNEL SERVICES</b>	<b>787,846</b>	<b>772,117</b>	<b>776,934</b>	<b>776,934</b>
504000 Mileage	0	900	500	500
504005 Travel	719	1,000	750	750
504035 Occupational Exams	0	400	0	0
504205 Commercial Services	4,850	4,500	4,500	4,500
504280 Maintenance – Buildings	1,530	0	0	0
504305 Prep of Legal Transcripts	51,984	63,000	55,000	55,000
504315 Professional Service–Computers	0	5,000	8,000	8,000
504320 Professional Services	3,522,905	3,011,595	3,281,679	3,281,679
504340 Rental of Space	27,979	0	0	0
504505 Cellular Telephone	991	963	900	900
504620 Membership	360	400	400	400
504630 Postage	117	0	0	0
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>3,611,435</b>	<b>3,087,758</b>	<b>3,351,729</b>	<b>3,351,729</b>
505000 Books/Periodicals	5,908	5,500	5,500	5,500
505020 Computer Software	205	0	1,000	1,000
505025 Construction Supplies	945	0	0	0
505100 Office Supplies	5,981	8,000	7,000	7,000
505125 Technical Supplies	496	1,000	1,000	1,000
505135 Inventory Expense	-437	0	0	0
<b>TOTAL SUPPLIES &amp; MATERIALS</b>	<b>13,098</b>	<b>14,500</b>	<b>14,500</b>	<b>14,500</b>
507005 Retirement Plan Surcharges	4,964	4,964	8,327	8,327
507010 Retirement	48,290	74,017	79,372	79,372
507015 Social Security Contribution	57,703	59,605	59,358	59,358
507016 FICA ACCRUAL	71	0	0	0
507020 Hospital Benefits	135,763	141,580	153,550	153,550
507025 Hospital Insurance – Retirees	15,178	15,014	14,318	14,318
<b>TOTAL BENEFITS</b>	<b>261,969</b>	<b>295,180</b>	<b>314,925</b>	<b>314,925</b>
961260 IS–Dental Insurance	10,471	12,365	14,380	14,380
961261 IS–Dental Retirees	1,034	1,247	1,384	1,384
961275 IS–Liability Insurance	4,999	5,804	15,854	15,854
961285 IS–COB Postage	3,154	2,856	2,960	2,960
961991 IS–Information Services	77,739	72,731	71,544	71,544
972404 FS–PS Probation	39,060	81,500	78,124	78,124
975105 FS–Printing Services	1,020	289	677	677
<b>TOTAL INTDEP CHRGBACK</b>	<b>137,477</b>	<b>176,792</b>	<b>184,923</b>	<b>184,923</b>
<b>DIVISION TOTAL</b>	<b>4,811,825</b>	<b>4,346,347</b>	<b>4,643,011</b>	<b>4,643,011</b>